



DECLARATION AND POWER OF ATTORNEY FOR REISSUE PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a reissue patent is sought on the invention entitled:

PORTABLE TROMMEL

the specification of which
(check one)

☐ is attached hereto.
☒ was filed on October 12, 2000 as Application Serial No. 09/687,828.
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I believe original U.S. Patent No. 5,819,950 to be partially inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent. At least one error being relied upon to support the reissue application is the failure to appreciate the full scope of the invention as to the stockpiling conveyor. The issued patent includes claims covering the stockpiling conveyor that are too narrow, and I believe I had the right to include broader claims directed more specifically to the stockpiling conveyor. An example of narrowly claiming the stockpiling conveyor is shown in independent claim 1 which recites that in the retracted position the "first upper part extends over the chassis." Such a limitation is not necessary to distinguish the invention from the prior art. Similarly, independent claim 23 recites that the rejected material conveyor and the stockpiling conveyor do not extend "substantially beyond the chassis in their retracted positions." Although claim 23 uses different language than claim 1, the limitations recited in both claim 1 and 23 are not necessary to distinguish the stockpiling conveyor from the prior art.

These statements of error are not intended to identify all such errors, but are intended to state at least one error being relied upon as the basis for reissue.

All errors being corrected in the present reissue application up to the time of filing this declaration arose without any deceptive intention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office.

002707 003/004



connected therewith. (listed name and registration number)

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